

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Budget Follow-up

DEPARTMENT: County Manager **DIVISION:** _____

AUTHORIZED BY: Kevin Grace **CONTACT:** Kevin Grace **EXT.** 7211

Agenda Date <u>8-23-05</u> Regular <input type="checkbox"/> Consent <input type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input checked="" type="checkbox"/> Public Hearing – 1:30 <input type="checkbox"/> Public Hearing – 7:00 <input type="checkbox"/>

MOTION/RECOMMENDATION:

Staff requests Board direction regarding a number of budget-related items.

BACKGROUND:

Pursuant to direction provided during the recent budget work sessions, staff has prepared several budget issues for follow-up discussion with the Board. These issues include:

- a) Summary of BCC-directed changes and other changes since budget work sessions
- b) Sheriff Stabilization reserve
- c) Alternatives for allocation of 4% budgeted salary adjustments
- d) IT budget changes
- e) Roadway Landscaping Program
- f) Stormwater/Public Service Utility Tax
- g) Wilson’s Landing Retreat Project

Reviewed by:
Co Atty: _____
DFS: _____
Other: _____
DCM: _____
CM: <u><i>[Signature]</i></u>
File No. <u>CMB01</u>

A. Summary of Budget Changes

There were a number of changes (additions and deletions) directed by the Board during the budget work sessions. The primary funds affected by these changes were the General Fund and the Transportation Trust/Stormwater Fund. The cumulative impact from the Board direction was to add approximately \$3.7 million in new expenditures to these two funds in FY06, and to cut approximately \$1.4 million in specific project expenditures in the same fiscal year. The following summary outlines each of these changes as well as the additional budget reductions being proposed by staff to balance the budget in these two funds.

Further, the County Manager and the Deputy County Managers have reviewed the most recent expenditure progress report for FY05 with each department, and as a result, approximately \$1.2 million has been cut from proposed operational budgets (across all funds) for FY06. These specific reductions will be included in the adjustments to be considered by the Board during the public hearings in September. Management also conducted another review of proposed capital equipment purchases, including rolling stock. As a result, there are a number of proposed deletions from the FY06 budget, as well as several downgrades in equipment specs (i.e. F250 to F150 truck). The total budget reduction in capital equipment for FY06 is \$1,329,850 and involves a number of different funds..

If these proposed changes are implemented by the Board, the FY06 undesignated reserves in the General Fund are projected to be approximately \$8.9 million, which is essentially the same level as was reviewed by the Board during the budget work sessions. The Transportation Trust/Stormwater Funds are estimated to have a reserve of about \$1.5 million, which is an increase of \$268,000 from the previous level.

ATTACHMENTS:

Budget Change Summary General Fund

Budget Change Summary Transportation Trust Fund

Capital Equipment Reductions

**Budget Change Summary FY06
General Fund**

Item Description	Added to Budget	Eliminated from Budget
Animal Control - Positions/Capital/Laptops	\$402,888	
BCC - Chamber Membership	\$10,000	
BCC - Federal Lobbyist	\$100,000	
BCC - Strategic Planning effort	\$50,000	
BCC -Sanford Fireworks	\$10,000	
CID - FT Graphics position	\$48,150	
CID - FT Principal Coordinator	\$58,145	
CID - Mobile Production Van Equip.	\$75,000	
CID - Upgrade field equipment	\$95,000	
Comm. Svcs. - Veteran's Svc Officer PT to FT	\$21,536	
IT - Notes to Outlook migration	\$650,000	
L&LS - Extension Service promotion	\$5,000	
L&LS - Museum misc.	\$25,000	
L&LS - West Pony Baseball bleachers	\$42,000	
P&D - Lynx bus services	\$400,000	
Swimming Pool - Lake Mary High	\$600,000	
Admin Svcs - 5 points Master Plan		(\$125,000)
Admin Svcs - Chairs/Tables CSB conf. rooms		(\$27,571)
Admin Svcs - Hybrid pool vehicle		(\$24,500)
Admin Svcs - Hydraulic Tire changer		(\$15,500)
Admin Svcs - Public Safety Bldg. security system		(\$148,000)
Admin Svcs - Reduce Fuel cost by 15 cents/gal		(\$38,850)
Admin Svcs - Resurface/stripe parking lots		(\$100,000)
Admin Svcs - Tire changer truck		(\$65,000)
Admin Svcs - Workers Comp		(\$90,000)
HR - Fall Food Certificates		(\$20,000)
IT - Capital Equipment		(\$280,000)
IT - E250 Van		(\$17,500)
IT - Hybrid vehicles to regular		(\$19,400)
IT - Operating supplies		(\$130,000)
IT - Telephone system		(\$650,000)
L&LS - Change Parks vehicles to F150's		(\$17,980)
L&LS - HVAC Central Branch Library		(\$122,000)
L&LS - Trail signage program		(\$125,000)
Misc Operating account lines		(\$214,700)
P&D - Planning studies		(\$300,000)
PS - Emer. Mgmt F250's to F150 & Taurus		(\$6,400)
Supvr of Elections 1% salary cut		(\$7,050)
Reduction in General Fund Reserve		(\$48,268)
Totals	\$2,592,719	(\$2,592,719)
Net Change to General Fund		\$0

**Budget Change Summary FY06
Transportation Trust/Stormwater Fund**

Item Description	Added to Budget	Eliminated from Budget
Subdivision Retrofit funding	\$1,000,000	
Added to Reserve	\$267,770	
Admin Svcs - Reduce Fuel cost by 15 cents/gal		(\$56,175)
Admin Svcs - Workers Comp		(\$180,000)
Misc Operating account lines		(\$84,955)
PW - F250 to F150		(\$7,640)
PW - Gradall 4100 w/ attachments		(\$319,000)
PW - International Dump Truck (2)		(\$170,000)
PW - Stormwater Utility study		(\$450,000)
Totals	\$1,267,770	(\$1,267,770)
Net Change to Transportation/SW Fund		\$0

Capital Equipment Reductions FY06

Item	Department	Fund	Originally Budgeted Amount	Proposed Change for FY06	FY06 Reduction
Customer Service Request System	IT	General	\$200,000	\$0	\$200,000
Email archive software replacement	IT	General	\$70,000	\$0	\$70,000
Additional DLT licenses for email	IT	General	\$10,000	\$0	\$10,000
2 Ford Escape Hybrids to Ford Vans	IT	General	\$54,000	\$34,600	\$19,400
Ford E250 Van	IT	General	\$17,500	\$0	\$17,500
Tire Changer Truck	Admin Svcs	General	\$65,000	\$0	\$65,000
Hybrid Pool Vehicle	Admin Svcs	General	\$24,500	\$0	\$24,500
Electro Hydraulic Tire Changer	Admin Svcs	General	\$15,500	\$0	\$15,500
3 Ford F250's to F150's	L&LS	General	\$61,780	\$43,800	\$17,980
2 Ford F250's to F150 & Taurus	PS	General	\$48,000	\$36,550	\$11,450
Gradall 4100 w/ attachments	PW	TTF	\$319,000	\$0	\$319,000
International Dump Truck	PW	TTF	\$88,000	\$0	\$88,000
International Dump Truck	PW	TTF	\$82,000	\$0	\$82,000
Ford Explorer reduced specs	PW	TTF	\$31,350	\$27,000	\$4,350
Ford F250 to F150	PW	TTF	\$26,000	\$18,360	\$7,640
International Dump Truck	PW	Stormwater	\$82,000	\$0	\$82,000
Staff Command Vehicles to F150's	PS	Fire Fund	\$67,000	\$43,000	\$24,000
Trailer Mtd 60kw Generator reduce specs	Env Svcs	W&S	\$217,080	\$175,000	\$42,080
Ford Escape XLT to Taurus	Env Svcs	W&S	\$26,200	\$15,750	\$10,450
4 100kw Generators (reduce to 2)	Env Svcs	W&S	\$140,000	\$70,000	\$70,000
6 International 9100i Tractors (reduced)	Env Svcs	Solid Waste	\$534,000	\$474,000	\$60,000
3 International Road Tractors (reduce to 2)	Env Svcs	Solid Waste	\$267,000	\$178,000	\$89,000
Totals			\$2,445,910	\$1,116,060	\$1,329,850

B. Sheriff Stabilization Reserve

The proposed budget contains a designated reserve of \$1.6 million within the General Fund Reserve for future use in meeting the Sheriff's law enforcement and corrections needs. During the work session discussions, there appeared to be some confusion over the nature of this proposed stabilization fund. The following is intended to clarify this recommendation:

- The stabilization fund is only incidentally related to the "Target Budget Agreement" between the Sheriff and the County Manager. The budget agreement essentially limits the Sheriff's annual budget increases to the rate of increase in the countywide tax base. This agreement was negotiated at a time when the General Funds share of the Sheriff's budget had increased at a greater rate than the tax base on several occasions, making it difficult for the County to fund other General Fund needs. With the FY06 increase in the tax base at 12.8%, and the Sheriff's share of General Fund revenues increasing at 7.8%, it is recommended that some funds be held in reserve this year to address major capital and operating needs of the Sheriff in future years when the annual increase in the tax base returns to normal levels.
- The stabilization fund will remain in the County's General Fund Reserve, with control remaining with the BCC. The monies are to be "designated" for future Sheriff's Office needs, but will remain as unappropriated reserve funds. The BCC would retain the ability to use them for other purposes if a serious need arose.
- The stabilization reserve is not intended to replace the Sheriff's customary contingency reserve. It should not be utilized during the fiscal year for minor budgetary issues. It is for the purpose of mitigating major future budgetary impacts such as the operational impact from jail expansion and/or helicopter replacement.
- Further, it is not intended to be a reserve that would continue to grow on an annual basis. The situation would be analyzed each year to determine whether a reserve was necessary, and if so, what a reasonable level of reserve would be. It is anticipated that when the tax base growth returns to more normal levels, this type of reserve may be difficult, if not impossible, to maintain. The County Manager and the Sheriff have agreed upon these stated intentions and would jointly recommend that the reserve level not exceed \$3 million in any given year.

This recommendation is made by the County Manager because it is believed to be prudent fiscal policy. If the Board agrees that it is prudent fiscal planning, then it should support this recommendation. If the Board does not believe this to be a prudent action, or if the Board determines this to be of a lower priority than other needs, then it is not bound by any agreement or discussions the County Manager has had with the Sheriff. The Board retains full discretion regarding this matter.

C. Alternatives for Allocation of 4% Salary Adjustment

During the budget work sessions, the Board appeared to reach a consensus to authorize the County Manager's proposal of budgeting 4% of salaries for employee salary adjustments in FY06. However, the Board asked that some alternatives be presented regarding how these monies would be allocated. The following are a few approaches that the Board may wish to consider.

1. Annual adjustment of 3% of base salary for employees evaluated as "Good", "Top Performer", or "Outstanding Performer". This is in line with the CPI-U for the first six months of 2005, which is 3.1%. A number of sources (i.e. The Kiplinger Letter) estimate that the full year CPI will likely be approximately 3.2-3.5%. In addition, a merit award would be available to those employees evaluated as "Top Performer" or "Outstanding Performer". The salary adjustment matrix would be as follows:

Performance Rating	Annual Adjustment	Merit	Total
Outstanding Performer	3%	1-3%	4-6%
Top Performer	3%	0-2%	3-5%
Good Performer	3%	0%	3%
Marginal or Non-Performer	0%	0%	0%

The proposal for FY06 is that the merit award would be based upon the mid-point of the pay band, rather than as a percentage of base salary. This will have the effect of shifting a greater proportion of the resources to those in the lower range of the pay band.

2. Another approach would be to reinstitute the program authorized by the Board for FY05, which is also at an overall 4% budget level. This plan established the annual adjustment for those evaluated at the "good" level or above at 2.5% of base salary, which is in line with the CPI-U over the past 12 months, but is likely a bit low for 2005/06. The current program also allocates 1% to merit awards for those evaluated in the top two categories. It also sets aside .5% as a "Comparatio" adjustment to be targeted to those employees (good or better) whose salary is below the mid-point of the pay band. Both the merit award and the compa-ratio adjustment are based on the mid-point of the pay band. The salary matrix is shown below.

Performance Rating	Annual Adjustment	Merit	Compa-ratio Adjustment
Outstanding Performer	2.5%	0 to 2.5% of Mid-point	.85% of Mid-point if salary is below the mid-point of the pay band
Top Performer	2.5%		
Good Performer	2.5%	0%	
Marginal or Non-Performer	0%	0%	0%

3. Another option would be to utilize an approach similar to what the Sheriff has implemented over the past couple of years, which is a "fixed dollar amount" raise (i.e. \$2500 for Sheriff employees) for all employees meeting a minimum evaluation level. This would be added to the employee's base salary, and would be effective in advancing the salaries of those employees in the lower end of the pay bands. However, it would mean minimal raises for those in the higher salary levels, including our professional positions which are becoming more and more difficult to recruit and retain. It is estimated that the projected 4% budgetary allocation would support a fixed dollar raise of roughly \$1800 for each employee that is evaluated as good or better. If such a program were to be implemented, an employee with a \$30,000 salary would receive a raise of approximately 6%, while an employee with a salary of \$75,000 would receive approximately 2.4%.
4. Recently, Commissioners have expressed an interest in exploring some type of bonus/lump sum payment that would not be added to an employee's base salary. While this approach is common in the private sector, it remains relatively rare in the public sector. The basic difficulty involves the absence of purely objective criteria that is most often utilized in the corporate environment, typically either profit or production related. Until several years ago, bonuses in the public sector were actually illegal in the State of Florida. Although they are currently legal, state statutes require a formally adopted program be in place prior award of the bonus/lump sum payment.

There are a number of issues which would have to be considered if the County were to implement such a system. Among them are:

- a. If the raises are not added to base salary, how does the County keep from falling even further behind its market competition? The last salary study indicated that the County has remained somewhat behind our competition in the salary area. The large majority of the organizations which compete with Seminole County for employees grow employees' salaries each year with cumulative pay raises, similar to the County's historic practice.
- b. If a bonus were to be utilized in place of cumulative salary increases, it would need to be greater in magnitude in order to offset the loss to employees in real salary growth over time and the loss of pension benefits. According to Hewitt Associates, a human resources consulting firm, in 2004 private corporations were devoting nearly 10% of their annual payroll

to “pay for performance” bonuses. These programs are often in addition to base salary increases.

There are many different approaches to bonus programs. If the Board wishes to consider such a program for Seminole County, it is suggested that the upcoming Pay and Classification Study be utilized to evaluate and recommend such a program tailored to a public sector organization.

Since most of the organization is on an evaluation system that requires employee evaluations be completed during September, it is important that a decision be made very soon on the program for FY06. The County Manager has recommended Option 1 for the upcoming year, and that the Pay and Classification Study include an examination of the County’s annual salary adjustment system, which will result in recommendations for the Board’s consideration for implementation in FY07.

D. Information Technology Budget Changes

At budget worksessions, the Board expressed concerns with the scope of Information Technology's proposed expenditures. By consensus, the Board delayed further action with this budget, except for \$1,430,000 for Article V.

The tables below reflect budget changes directed by the Board as well changes made by the County Manager's Office subsequent to budget worksessions:

REDUCTIONS

Division	Object	Description	Proposed Budget	Modified Proposal	Difference	Comment
Telecom						
	530440	Rentals and Leases	650,000	0	(650,000)	Board delayed installation of new telephone system to 06/07
	560642	Equipment >4,999	434,878	234,878	(200,000)	Delete Customer Service Request System to be replaced by Scinet.
	560642	Equipment >4,999	54,000	34,600	(19,400)	Change two vehicle purchases from Ford Escape Hybrids to Ford Freestars
	560642	Equipment >4,999	17,500	0	(17,500)	Delayed purchase of an E250 van to 06/07
Information Services						
	530400	Travel and Per Diem	37,500	24,000	(13,500)	Reduced to more closely match previous year's actuals while accommodating anticipated needs
	530480	Promotional Activities	2,400	500	(1,900)	Reduced to more closely match previous year's actuals while accommodating anticipated needs
	530520	Operating Supplies	2,028,788	1,898,788	(130,000)	Reduction in software licensing charged to Information Technologies Department
	560042	Equipment >4,999	474,461	394,461	(80,000)	Reduction by 10k for DLT licenses and 70k for email archive replacement
	56540	Books, Dues, Publication	81,290	65,290	(16,000)	Email archive, Lotusphere, Nortel training, and OnBase seminar dropped
SUBTOTAL					(1,128,300)	

ADDITIONS

Division	Object	Description	Proposed Budget	Modified Proposal	Difference	Comment
Telecom						
	530410	Communications	1,328,282	1,332,482	4,200	Animal Control wireless access charges
Information Services						
	530340	Contracted Services	40,000	700,000	660,000	Monies applied from the delay of the new telephone system that is proposed to be applied to migration to Outlook. This will distributed into several fund lines.
	530420	Shipping	1,550	2,000	450	Consolidate shipping in General Fund
	530440	Rental and Leases	3,722,973	3,750,076	27,103	Equipment for new positions and other uses entered from budget worksessions
	530520	Operating Supplies	81,290	89,315	8,025	Equipment for new positions and other uses entered from budget worksessions
	530641	Operating Equipment	0	7,000	7,000	Mounting brackets for Animal Control laptops
SUBTOTAL					706,778	

The above represents a total general fund budget reduction of **\$421,522** (Deletions of 1,128,300 – Additions of 706,778). Staff recommends that the Board accept these changes.

Further, at the time of this report, staff has not had time to fully evaluate the computer lease program. That will be accomplished and reported to the Board prior to budget adoption hearings.

E. New Roadway Landscaping Program

SUMMARY

Through Board consensus during budget worksessions, staff was authorized to pursue its recommendations for enhanced landscape median maintenance. For staff to complete an implementation plan, it is necessary to know which road corridors that Board desires to classify as Gateway, Landscaped (Non-Gateway), and Grass Only.

Below is staff's recommendation for classifications. Should the Board agree with this approach, staff will bring back to the Board, prior to budget adoption, an implementation plan that includes a schedule of work to be performed, funding needs, staffing, and a recommendation as to which department these responsibilities should be held.

CRITERIA FOR GATEWAY CORRIDOR

A gateway corridor is defined as meeting the following criteria:

- Arterial four lane divided roadway;
- Some segment of the corridor is constructed with one cent sales tax revenue;
- Minimum corridor length is 5 continuous miles maintained by the County; however, medians maintained to a Gateway Corridor standard by a city (arterial or collector) or a homeowners association may be included to meet the minimum 5 mile requirement. Further, road extensions or widening projects that meet all other requirements, and when construction is complete takes the corridor beyond the five mile requirement, qualifies as a Gateway Corridor.

With these criteria, the following roads are recommended to be Gateway Corridors:

<i>Road</i>	<i>From</i>	<i>To</i>	<i>Lineal Miles*</i>	<i>District</i>
CR 427	SR 436	Sanford Ave	6.54	2, 4, 5
Lake Mary Blvd	Airport Entrance	College Rd	3.93	5
Tuskawilla Rd	SR 426	Dyson Dr	3.78	1, 2
Wekiva Springs Rd / Montgomery Rd	SR 434	Wekiva Springs Ln	1.42	3
Red Bug Lake Rd	SR 436	SR 426	5.87	1, 2
		Sub Total	21.54	

*These roads qualify with the 5 mile requirement by adding city or HOA maintained road segments

Components of a Gateway Corridor

- Landscape beds are irrigated;
- Landscaping is installed and maintained as shown on plans approved with the road construction drawings;
- Maintenance will occur weekly in the summer and bi-weekly in the winter;
- Assigned to the Gateway Corridor In-House Maintenance Team.

For the Board's consideration, the estimated on-going cost per mile maintenance costs for a Gateway Corridor road is \$45,000. This is approximately \$14,000 more per mile than standard maintenance.

CRITERIA FOR LANDSCAPED CORRIDOR (NON-GATEWAY)

A Landscaped Corridor (non-gateway) is defined as meeting the following:

- Meets all of the requirements for a Gateway Corridor, except that it is less than 5 miles in length.

For the Board's consideration, the estimated on-going cost per mile maintenance costs for a Landscaped Corridor (Non-Gateway) road is \$31,000.

<i>Road</i>	<i>From</i>	<i>To</i>	<i>Lineal Miles</i>	<i>District</i>
CR 419*	SR 426	Chuluota	3.11	1, 2
CR 46A	Rinehart Rd	Lake Blvd	2.42	5
Dog Track Rd	17-92	CR 427	1.1	4
Howell Branch Rd	SR 436	SR 426	2.83	1
Lake Mary Blvd	Lake Emma	Heathrow	1.49	2, 5
		Sub Total	10.95	

*May be Gateway eligible after CR 419 extension is complete.

Components of a Landscaped (Non-Gateway) Corridor

- Landscaping will consist of trees, turf, and no beds;
- Irrigation will not be installed, except to establish new landscaping;
- Landscaping will be maintained by a contractor;
- Landscaping is installed and maintained as shown on plans approved with the road construction drawings, except that landscaped beds will be removed;
- Maintenance will occur bi-weekly in the summer and monthly in the winter (current standard).

CRITERIA FOR GRASS ONLY

- Regularly scheduled mowing will occur in these corridors.

Median Roads

Arterials - Selected "Gateway" Corridors

<i>Road</i>	<i>From</i>	<i>To</i>	<i>Lineal Miles</i>	<i>District</i>
CR 427	SR 436	Sanford Ave	6.54	2,4,5
Lake Mary Blvd	Airport Entrance	College Rd	3.93	5
Tuskawilla Rd	SR 426	Dyson Dr	3.78	1&2
Wekiva Springs Rd	SR 434	Wekiva Springs Ln	1.42	3
Red Bug Lake Rd	SR 436	SR 426	5.87	1&2
		Sub Total	21.54	

Arterials - Non-Selected "Gateway" Corridors

<i>Road</i>	<i>From</i>	<i>To</i>	<i>Lineal Miles</i>	<i>District</i>
CR 419*	SR 426	Chuluota	3.11	1&2
CR 46A	Rinehart Rd	Lake Blvd	2.42	5
Dog Track Rd	17-92	CR 427	1.1	4
Howell Branch Rd	SR 436	SR 426	2.83	1
Lake Mary Blvd	Lake Emma	Heathrow	1.49	2&5
		Sub Total	10.95	

*May be Gateway eligible after CR 419 extension is complete.

Collectors and Other Non-Gateway Corridors

<i>Road</i>	<i>From</i>	<i>To</i>	<i>Lineal Miles</i>	<i>District</i>
17-92	Fernwood Blvd	Orange County Line	0.25	4
Rinehart Rd	CR 46A	SR 46	2.28	5
17-92	North of 419		0.02	2&5
Lake Emma	Lake Mary Blvd	Lk Emma Intersection	0.01	4
Bush Blvd	5 Points		0.01	5
Fernwood	17-92	Oxford Rd	0.24	4
Sanford Ave	Lake Mary Blvd	Airport Blvd	2.04	5
Airport Blvd	East And West Sides (Off Sanford Ave)		0.02	5
International Dr	CR 46A	SR 46	4.03	5
Longwood Lk Mary Rd	East Side Of Rd	Near CR 427	0.01	4
Markham Woods	Median/Island		0.01	3
Dodd Rd	Red Bug Lake Rd	Howell Branch Rd	1.68	1
SR 426	Red Bug Lake Rd	SR 417	3.23	1
		Sub Total	13.83	
		Grand Total Miles	46.32	

F. Stormwater / Public Service Utility Tax

The Public Service Utility Tax levied by Seminole County is currently at a 4% rate, well below the allowable maximum of 10% levied by many jurisdictions. During the budget worksessions, the Board discussed an increase in the utility tax as a revenue resource for Stormwater capital and operating needs. A sunset provision for the capital projects portion of any increase was also discussed. Each 1% increment of increase to the current rate would generate a little over \$1 million/year.

Staff recommends a 4% increase whereby 3% is designated as capital and 1% as an on-going source of operating and maintenance revenue. The five year proposed capital program would include a mix of projects designed to address the most feasible and the most critical stormwater needs. Approximately 20 projects over 5 years could be undertaken from the infusion of approximately \$3 million/year (\$15 million overall).

At the end of the five year period, the capital improvement component (3%) would sunset leaving in place the operating component (1%). However, the Board could decide at that time to institute a new five year capital improvement program with all or a portion of the 3% component.

The earliest date that the utility tax could take effect is January 1, 2006. This would require adoption of an implementation ordinance no later than October 1, 2005. However, this is a short window, particularly with regard to any required or optional public information notices. If these dates are not met, the next effective date is April 1, 2006 that requires adoption of the ordinance by January 1, 2006.

If the Board is in agreement with this concept, staff will bring back the necessary implementation ordinance and five year Capital Improvements Program for the Board's consideration at an upcoming meeting in September.

G. WILSON'S LANDING RETREAT PROJECT

Background

During the Budget Worksessions, staff was directed to address the feasibility of renovation and expansion of the house at Wilson's Landing Park for use as meeting space, which may include organization meetings, family reunions, weddings, environmental education, receptions, etc.

The property was purchased with Natural Lands funds and is located in the Wekiva River Protection Area. The park is managed by the Parks and Recreation Division.

Proposed Conceptual Plan

The proposed conceptual plan has two options. Option 1 consists of renovation of the house and related site improvements to accommodate sixty (60) people at a cost of \$1,200,000. Option 2 consists of the renovation and expansion of the existing structure to more than double the current space. This option will accommodate 160 people at a cost of \$2,100,000. Floor plans for each option are attached.

Natural Lands

The site was purchased with Natural Lands funds. Subsequent to a preliminary review, staff believes that a limited expansion of the facility would comply with the Natural Lands Ordinance. Further, it appears feasible that Natural Lands funding may be used for costs associated with a limited expansion; staff is verifying this with our bond counsel.

Also, during budget worksessions, staff indicated that we may need to evaluate establishing a more refined policy for the use of natural lands. After further review of the Natural Lands Ordinance contained in Chapter 150 of the Seminole County Code (Attachment 3), it is staff's opinion that the Ordinance is sufficient to regulate uses while providing flexibility to the Board. Of course, staff could prepare a more detailed policy to present to the Board at a future meeting.

Wekiva River Protection Area

After an initial review, staff believes that a limited expansion of the buildings and uses at Wilson's Landing should comply with the requirements of the Wekiva River Protection Act. Staff recommends that if the Board decides to pursue the site enhancements, compliance with the Act must be determined before expenditures are made on final architectural and engineering drawings.

-continued-

Current Approval

In early 2000, the Board approved a master plan for Wilson's Landing. The uses include canoe tie-ups with no launching, picnic areas, approximately 40 parking spaces, and recognition of the existing home. Seminole County Code Part 4, Natural Lands, requires that a resolution containing permitted uses be adopted for each Natural Lands parcel. Should the Board agree with this proposal, a new resolution will be presented to the Board containing the meeting facility uses. Attached is a layout of the conceptual plan (Attachment 4).

Community Involvement

A public meeting was held prior to the approval of the current conceptual plan for the park by the Board of County Commissioners. At that meeting the limited uses were presented and feedback was given by area residents. If the Board wants to proceed with expanded use of the site, staff recommends that another community meeting be held to elicit feedback on the revised conceptual plan. The proposal should also be presented to the Parks and Recreation Advisory Board for their consideration.

PART 4. NATURAL LANDS**Sec. 190.151. Legislative intent/use of natural lands by the public.**

(a) The purpose of this Part is to establish regulatory provisions relating to the management and use of properties acquired or managed through the Seminole County Natural Lands Program. The purchase of Natural Lands was approved by the voters of Seminole County in November, 1990 by means of their affirmative vote for a \$20,000,000.00 bond referendum. The Natural Lands Program has also participated in joint projects which may have resulted in the County not taking title to parcels, but, instead, has accepted management or other responsibilities. The County desires to preserve and manage these environmentally sensitive areas for their ecological value and the enjoyment of present and future citizens.

(b) Seminole County does not, by providing any of its Natural Lands for outdoor recreational purposes, extend any assurance that such areas or lands are safe for any purpose. The County will attempt to post known hazardous conditions. Users of Natural Lands take upon themselves the risks inherent in using undeveloped natural properties and the resulting and proximate events and conditions arising from the use of these wild and scenic lands.

(Ord. No. 98-18, § 1, 3-10-98)

Sec. 190.152. Definitions.

The following terms are provided with the following meanings for the purposes of this Part:

(a) *Exotic Species.*

(1) A species of plant as defined by Rule 14-40.002, Florida Administrative Code, and as defined by Rule 62-312.310, Florida Administrative Code.

(2) A species of animal not native to the area it is found in.

(b) *Motor Vehicle.* Any self-propelled vehicle as defined in Section 316.003 (75), Florida Statutes, not operated upon roads or a guideway, but not including a bicycle.

(c) *Natural Lands.* Properties purchased or otherwise acquired or managed under Seminole County's Natural Lands Program. Said properties shall be described in a resolution adopted by the Board of County Commissioners which may be amended from time-to-time as the Natural Lands inventory changes.

(d) *Passive Recreation.* Nonconsumptive recreation which focuses upon and is exclusively based on the natural resources present on a parcel of property which is accomplished with little or no impact to the resources. Authorized passive recreation uses are determined by the County in accordance with Section 190.154 of this Part.

(e) *Public Nuisance.* Any condition or act which tends to injure or unreasonably annoy the community or injures the health, safety, or welfare of the citizens in general whether or not contemplated or not by Chapter 823, Florida Statutes, or any other statutory provision.

- (f) *Restoration.* To return back to a natural or preexisting condition.
- (g) *Special Authorization Permit.* Written permission granted by the County to an individual or any group of individuals associated with an organization such as a church, school, club or scout troop to partake in an activity on Natural Lands.
- (h) *Structure.* Anything constructed or installed, regardless of whether it is fixed or portable, the use of which requires a location on a parcel of land. It includes a movable structure while it is located on land which can be used for housing, business, commercial, agricultural or office purposes either temporarily or permanently. Structure also includes fences, billboards, swimming pools, poles, pipelines, transmission lines, tracks and advertising signs.

(Ord. No. 98-18, § 2, 3-10-98)

Sec. 190.153. Hours of operation; access to and closure of natural lands.

- (a) Natural Lands areas will be open each day from the period between sunrise and sunset unless posted otherwise. It is unlawful to access Natural Lands at an unauthorized time.
- (b) Natural Lands may be accessed only at County designated access points at permitted times. It is unlawful to access Natural Lands at any place other than an access point posted for access.
- (c) Natural Lands may be accessed only by permitted means. Unless posted for vehicular access it is unlawful to access Natural Lands by means of any motor vehicle or any other vehicle or to otherwise access Natural Lands by a means that is not posted for authorized access.
- (d) Natural Lands may be closed for specific uses or all public use by the County Manager or his or her designee during any emergency conditions such as floods, severe weather, wildfire, prescribed burning, and during any land management or maintenance activity which may pose a threat to the public well being or when necessary to protect the natural economic functions of said lands.
- (e) Natural Lands may be closed to the general public by the County Manager or his or her designee during research, study, surveying, tourist development, or data collection events or activities.
- (f) The County shall provide notice, whenever practicable, of closings by posting signs at affected Natural Lands access points.

(Ord. No. 98-18, § 3, 3-10-98)

Sec. 190.154. Permitted uses on natural lands.

- (a) The County shall, by resolution, promulgate a list of acceptable uses on each Natural Lands parcel. The promulgated list of uses shall be based on the master plan relating to the particular Natural Lands parcel which will address resource inventory, management philosophy and human use potential. Consideration of the following issues will be integrated into the Management and Use Plan:
 - (1) Physical and biological components of the Natural Lands area.
 - (2) Historical and recent land use.
 - (3) Local and regional significance of the land.

- (4) Protection of natural resources.
 - (5) Need for habitat restoration.
 - (6) Use of prescribed burning.
 - (7) Security requirements.
 - (8) Relationship to adjacent land uses.
 - (9) Access.
 - (10) Environmentally acceptable opportunities to generate revenue to offset management expenses.
 - (11) Management and control of exotic species.
 - (12) Permanent concessions.
 - (13) Potential and demand for passive recreation uses.
 - (14) Ability to lease lands to generate management revenues without disrupting natural systems or impacting recreational values.
 - (15) Potential use of caretakers for the beneficial and convenient management of lands.
 - (16) Availability of the land for nonstructural stormwater management functions.
 - (17) Use by persons with disabilities.
 - (18) Other functions that can be served by the parcel.
- (b) Prior to the promulgation and adoption of a list of permissible uses by the County, Natural Lands may be made available for limited public access by the County's Comprehensive Planning Manager for the following purposes:
- (1) Public assistance in assessing the lands for passive recreational use.
 - (2) Resource inventory or restoration.
 - (3) A special authorization permit issued in accordance with Section 190.157 of this Part.

(Ord. No. 98-18, § 4, 3-10-98)

Sec. 190.155. General provisions relating to use of Natural Lands.

- (a) The following provisions relate to all Natural Lands parcels:
- (1) *Fishing.* Recreational fishing is allowed on Natural Lands unless restricted by signs and provided the appropriate permits from the Florida Game and Fresh Water Fish Commission are in possession of the user. It is unlawful to fish on Natural Lands for commercial purposes or to fish in an area at which a sign indicates that fishing is prohibited or to fish in a manner inconsistent with fishing restrictions set forth on a sign.
 - (2) *Hiking.* Hiking is allowed only on designated trails in Natural Lands except where restricted by signs. It is unlawful to hike on Natural Lands in an area at which a sign indicates that hiking is prohibited.
 - (3) *Camping.* Camping is allowed only at designated campsites and only in

accordance with a Special Authorization Permit. It is unlawful to camp on Natural Lands in an area which is not posted as being authorized for camping.

(4) *Horseback Riding.* Horseback riding is allowed on Natural Lands on designated horse or multi-use trails only. It is unlawful to ride horses on Natural Lands unless a sign indicates that horseback riding is permitted in the area or a Special Authorization Permit has been issued to do so.

(5) *Bicycling.* Bicycle riding is allowed on Natural Lands on designated bike and multi-use trails only. It is unlawful to ride bicycles on Natural Lands unless a sign indicates that bicycling is permitted in the area.

(6) *Hunting and Trapping.* It is unlawful to hunt for game or nongame animals, as defined in Section 372.001, Florida Statutes, or trap game or nongame animals on Natural Lands except when authorized by a special authorization permit for County initiated wildlife management purposes.

(7) *Pets.* Domestic animals are allowed on Natural Lands provided they are leashed at all times. It is unlawful to possess a domestic animal on Natural Lands without a leash being affixed to the animal and for the animal to be under the control of the Natural Lands user. It is unlawful for the person who has control over a pet to fail to immediately remove and dispose of animal wastes deposited by the pet on Natural Lands. Disposal of waste shall occur by placing the waste in designated waste containers.

(8) *Swimming.* It is unlawful to swim on Natural Lands except when an area is designated by signs to be a swimming area.

(9) *Plants and Animals Removal or Disturbance.* All plants and animals on Natural Lands are protected. It is unlawful to remove or destroy plants or to remove, destroy or harass animals except when authorized by a special authorization permit or for County initiated programs such as exotic species control, habitat restoration and other land management activities.

(10) *Archeological and Cultural Resources.* All cultural and archeological resources on Natural Lands are protected. It is unlawful to remove, alter or destroy such resources except when authorized by a special authorization permit.

(11) *Waste Disposal.* It is unlawful to dump or dispose of litter, as defined by Section 403.413(2)(a), Florida Statutes, or discharge waste or any hazardous substance on Natural Lands except in designated waste disposal containers.

(12) *Destruction of Facilities and Equipment.* It is unlawful to damage, destroy, remove or disturb any County facilities or equipment on Natural Lands.

(13) *Firearms.* It is unlawful to possess or use a firearm, as defined by Section 790.001(6), Florida Statutes, a concealed weapon whether concealed or not, as defined by Section 790.001(3), Florida Statutes; a destructive device, as defined by Section 790.001(4), Florida Statutes; an explosive, as defined by Section 790.001(5), Florida Statutes; fireworks, as defined by Section 791.01, Florida Statutes; on Natural Lands unless authorized by a special authorization permit or for County initiated land management activities. This provision shall not make it unlawful for a person to carry a concealed weapon or firearm when in possession of a license to do so in accordance with Section 790.06, Florida Statutes, and in a manner authorized by law; to possess a firearm, weapon, ammunition and supplies for lawful purposes when a person is engaged in fishing, camping or lawful hunting or going to or returning from a fishing, camping, or lawful hunting expedition; or to possess a firearm, weapon, ammunition and supplies for lawful purposes when a person is traveling by private conveyance and has securely

encased the firearm, weapon, ammunition and supplies or is traveling in a public conveyance when the firearm, weapon, ammunition and supplies are securely encased and not in the person's manual possession.

(14) *Posting or Distributing Handbills or Advertising Material.* It is unlawful to circulate, distribute, post, place or erect any handbills, circulars, notices, papers, advertisements, or signs on Natural Lands except when authorized by a special authorization permit or when County initiated notices are placed or posted.

(15) *Fires.* It is unlawful to ignite or maintain any fire on Natural Lands except for County initiated controlled burns, camp fires in permitted and designated camp areas, or when authorized by a special authorization permit.

(16) *Boating and Canoeing.* Launching of boats or canoes into waters contained within or through Natural Lands or from Natural Lands is permitted only at designated boat ramps or launch sites or by special authorization permit. It is unlawful to launch or operate boats on or from Natural Lands where not permitted.

(17) *Introduction of Plants and Animals.* It is unlawful to plant or deposit any plant, seed or animal upon Natural Lands unless permitted by the County or when accomplished as part of land management activities.

(18) *Use of Vehicles.* It is unlawful to possess or operate a motor vehicle or any other vehicle on Natural Lands outside of designated parking areas unless authorized by special authorization permit or while engaged in County initiated land management activities.

(19) *Public Nuisance/Disturbances.* It is unlawful to engage in or create a public nuisance or disturbance on Natural Lands.

(20) *Alcoholic Beverages.* It is unlawful to possess or consume alcoholic beverages, as defined in Section 561.01(4), Florida Statutes, on Natural Lands except when allowed by a special authorization permit.

(21) *Concessions and Sales.* It is unlawful to sell anything of value or operate concessions on Natural Lands without written approval from the County in accordance with the provisions of this Ordinance.

(22) *Unauthorized Facilities or Structures.* It is unlawful to construct or erect any facility or structure on Natural Lands unless authorized by a special authorization permit or as part of a County initiated land management activity.

(b) *Other Uses.* All uses of Natural Lands not specifically addressed in this Ordinance are prohibited unless permission is granted through a special authorization permit or consistent with the authorized uses promulgated by the County Manager or his or her designee after development of a master plan for the particular Natural Lands parcel.

(c) *Fees.* The County, by resolution, shall establish a fee schedule relating to the various permitted uses of Natural Lands

(Ord. No. 98-18, § 5, 3-10-98)

Sec. 190.156. Concessions on Natural Lands.

(a) Citizens and groups may propose to locate concessions on Natural Lands and such proposals will be considered under the following guidelines:

(1) The concession must assist the County in providing public uses of Natural Lands.

- (2) The concession must be open to the public.
 - (3) The concession must be economically feasible.
 - (4) The concession must not result in unfair advantage over existing local businesses that provide similar goods or services.
 - (5) The concession must be in the public interest and have no adverse impact to natural resources.
 - (6) The concession must be in compliance with all laws, rules and regulations.
- (b) The Board of County Commissioners shall determine whether or not to permit particular concessions on Natural Lands.

(Ord. No. 98-18, § 6, 3-10-98)

Sec. 190.157. Special authorization permits.

Any person may apply for a special authorization permit issued by the County Comprehensive Planning Manager or his or her designee to conduct activities not specifically permitted by this Part or set forth in the list of approved uses promulgated by the County. In issuing a Special Authorization Permit, the Comprehensive Planning Manager shall require that the activity is consistent with and furthers the adopted management plan and legislative intent of this Part.

(Ord. No. 98-18, § 7, 3-10-98)

Sec. 190.158. Easements.

- (a) Any request for an easement over Natural Lands will be considered by the Comprehensive Planning Manager or his or her designee in view of the following principles:
- (1) The use of Natural Lands for utility or similar easements of a structural nature is not encouraged.
 - (2) An analysis must be provided to the County by the person or agency requesting the easement demonstrating why the easement cannot be located in such a manner as to avoid Natural Lands.
 - (3) To the maximum extent possible the easement shall be placed within an existing right-of-way, easement, roadway, fireline or along the Natural Lands boundary.
 - (4) The proposed easement must not fragment wetland or other functional habitat.
 - (5) The County must be fully compensated for the loss of intended use of the land within the proposed easement.
 - (6) The easement of use must further the public interest.
- (b) All proposed grants of easements over Natural Lands shall be submitted to and considered for approval by the Board of County Commissioners.

(Ord. No. 98-18, § 8, 3-10-98)

Sec. 190.159. Revenues generated from Natural Lands/reports.

(a) All revenues generated from the use of Natural Lands shall be used to offset land management expenses relating to the Natural Lands program to the maximum extent practicable.

(b) The Comprehensive Planning Manager shall issue an annual report relating to all elements set forth in this Part with regard to the operations of the Natural Lands Program.

(Ord. No. 98-18, § 9, 3-10-98)

Sec. 190.160. Penalties.

Any person who violates any provision of this Part may be punished in accordance with Section 125.69, Florida Statutes.

(Ord. No. 98-18, § 10, 3-10-98)

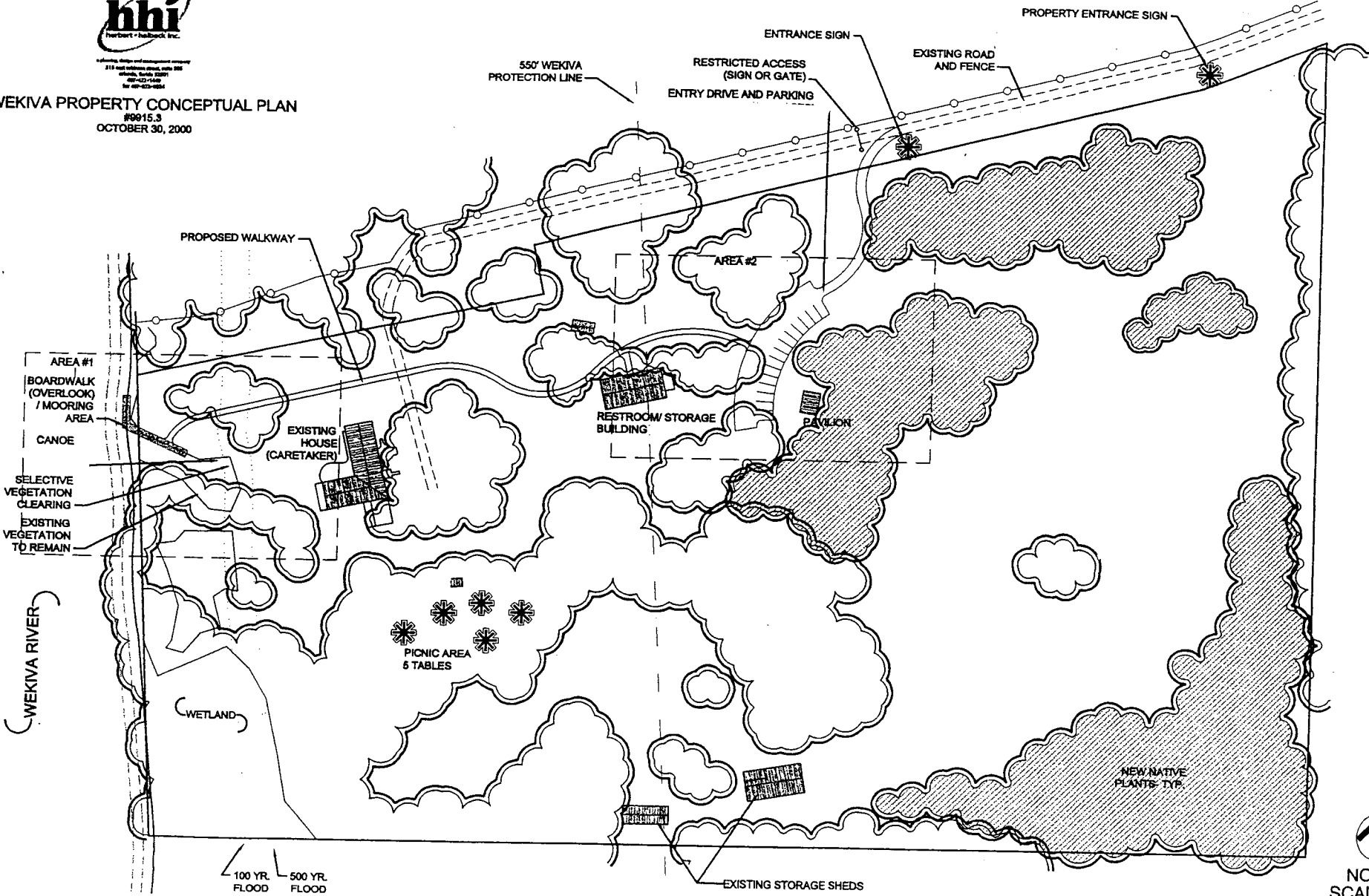
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